IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE KURIAN JOSEPH

THURSDAY, THE 7TH JUNE 2007 / 17TH JYAISHTA 1929

WP(C).No. 8002 of 2004(C)

PETITIONER:

K.G.RAJAN, S/O. GOPALAN, VALAYAM P.O., VADAKARA, KOZHIKODE.

BY ADV. SRI.K.PRAVEEN KUMAR

RESPONDENTS:

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1. **THE NATIONAL INDUSTRIES CORPORATION LTD., S 67 G.C.D.A COMPLEX, MARINE DRIVE, ERNAKULAM, KOCHI-31, REPRESENTED BY ITS SENIOR BRANCH MANAGER.**

2. **THE GENERAL MANAGER, DISTRICT INDUSTRIES CENTRE, KOZHIKODE.**

BY ADV. SRI.K.P.DANDAPANI for R1
BY GOVERNMENT PLEADER SMT. K.R. DEEPA for R2

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 07/06/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

WPC.NO.8002/2004 C

APPENDIX

PETITIONER'S EXHIBITS:

EXT.P1: COPY OF THE LETTER DTD. 23/02/98 SENT BY 1ST RESPONDENT TO THE PETITIONER.

EXT.P1(A): COPY OF THE INSTALMENT SCHEDULE.

EXT.P2: COPY OF THE REPRESENTATION SENT BY PETITIONER'S WIFE TO THE VALAYAM GRAMA PANCHAYAT OFFICER DTD. 20/01/98.

EXT.P3: COPY OF THE APPLICATION SENT BY THE PETITIONER'S WIFE IN THE PRESCRIBED FORM DTD. 31/03/99.

EXT.P4: COPY OF THE LETTER DTD. 7/01/02 ISSUED BY THE 1ST RESPONDENT TO THE PETITIONER.

EXT.P5: COPY OF THE COMMUNICATION ISSUED BY THE 1ST RESPONDENT TO THE PETITIONER DTD. 7/08/03.

EXT.P6: COPY OF THE LETTER ISSUED BY THE FIRST RESPONDENT TO THE PETITIONER DTD. 10/02/04.

1ST RESPONDENT'S EXHIBIT:

EXT.R1(A): COPY OF THE COMPLAINT DTD. 11/02/2004 SUBMITTED BY THE 1ST RESPONDENT TO THE SUB INSPECTOR OF POLICE, VALAYAM POLICE STATION.

/TRUE COPY/

KSS

KURIAN JOSEPH J.

W.P.(C) No.8002 of 2004

Dated 7th June, 2007.

J U D G M E N T

The writ petition is filed mainly with the following prayers :-

> (i) "Issue a writ of mandamus or any other appropriate writ, order or direction, directing the first respondent to return the concrete block making machine already seized from the petitioner, as expeditiously as possible.
>
> (ii) Issue a direction to the first respondent to provide substantial number of instalments to the petitioner for enabling him to clear all the dues.
>
> (iii) Issue a writ of mandamus or any other appropriate writ, order or direction, directing the respondents to withdraw all the criminal cases filed against the petitioner, after providing sufficient number of instalment facilities to the petitioner."

Since the petitioner has sought for a writ of mandamus, it is for the petitioner to first approach the first respondent, in which case, the matter will be duly considered by the first respondent in accordance with law.

The writ petition is disposed of as above.

KURIAN JOSEPH, JUDGE.

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KURIAN JOSEPH, J.

O.P. NO. OF 2003

J U D G M E N T

Dated 7th June, 2007.